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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

BRYANT D. CLARK  
xxx-xx-6323  
219 Palomino Lane  
Celina, TX 75009

MONTINA L. CLARK  
xxx-xx-2316

DEBTOR(S)

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CASE NO.13-40305  
CHAPTER 13

OBJECTION TO ALLOWANCE OF CLAIM #16-1  
FILED BY CAPITAL ONE

**NO HEARING WILL BE CONDUCTED ON THIS OBJECTION UNLESS AN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN RESPONSE IS FILES AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR RESPONSE MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

Bryant D. Clark and Montina L. Clark, the above named Debtors, object to the allowance of the claim #16-1 of CAPITAL ONE filed herein in the amount of \$7,460.35, upon the following grounds:

1. A copy of said proof of claim (without exhibits) is attached as Exhibit 1.
2. Debtors would show that the value of the collateral described in the proof of claim is \$1,000.00, pursuant to the affidavit attached as Exhibit 2.
3. Accordingly, Debtors allege that the obligation of Debtors to this creditor is secured to the extent of \$1,000.00 and unsecured as to the balance of this creditor's claim.

WHEREFORE, Bryant D. Clark and Montina L. Clark, Debtors, pray that said claim #161 of CAPITAL ONE in the amount of \$7,460.35 be allowed as a secured claim in the

amount of \$1,000.00 and the balance be treated as a general unsecured claim, and that they have such other and further relief as is just.

DATE: April 16, 2014

Respectfully submitted,

BARRON & BARRON, L.L.P.  
P. O. Box 1347  
NEDERLAND, TEXAS 77627  
(409) 727-0073

BY: /s/ Robert E. Barron  
ROBERT E. BARRON  
TBA NO. 01820800

ATTORNEY FOR DEBTOR

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CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2014, a true and correct copy of the above and foregoing document shall be served via electronic means, if available, otherwise by regular, first class mail to the following:

**Capital One**

c/o Bass & Associates  
3936 E. Ft. Lowell Rd. Ste 200  
Tucson, AZ 85712

**Bank of America, N.A.**

c/o BDFTE, LLP  
15000 Surveyor Blvd Suite 100  
Addison, TX 75001

**Janna L. Countryman**

P.O. Box 941166  
Plano, TX 75094-1166

**Mr. and Mrs. Bryant D. Clark**

219 Palomino Lane  
Celina, TX 75009

**Steve Turner**

Barrett Daffin Frappier Turner & Engel  
610 West 5th Street, Suite 602  
Austin, TX 78701

**Capital One, N.A.**

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Tucson, AZ 85712

**Green Tree Servicing LLC.**

Po Box 6154  
Rapid City, SD 57709-6154

**Vendvision, Co-Debtor**

2695 Villa Ci Circle  
Dallas, TX 75244

**JPMorgan Chase Bank, N. A.**

c/o BDFTE, LLP  
15000 Surveyor Blvd Suite 100  
Addison, TX 75001

**Nissan Motor Acceptance**

c/o Charles E. Lauffer, Jr.  
821 ESE Loop 323, Suite 530  
Tyler, TX 75701

**US Trustee**

Office of the U.S. Trustee  
110 N. College Ave., Suite 300  
Tyler, TX 75702

**Alane A. Becket**

Becket & Lee LLP  
PO Box 3001  
Malvern, PA 19355

**eCAST Settlement Corporation**

POB 29262  
New York, NY 10087-9262

/s/ Robert E. Barron  
ROBERT E. BARRON